



STEVE COOLEY  
LOS ANGELES COUNTY DISTRICT ATTORNEY

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18000 CLARA SHORTRIDGE FOLTZ CRIMINAL JUSTICE CENTER  
210 WEST TEMPLE STREET LOS ANGELES, CA 90012-3210 (213) 974-3501

April 7, 2009

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Dear Supervisors:

**AUTHORIZE THE DISTRICT ATTORNEY TO APPLY FOR AND ACCEPT GRANT  
FUNDS FROM THE CALIFORNIA EMERGENCY MANAGEMENT AGENCY (CalEMA)  
FOR THE STALKING AND THREAT ASSESSMENT TEAM (STAT)  
FOR FISCAL YEAR (FY) 2009-10  
ALL DISTRICTS (3-VOTES)**

**SUBJECT**

This Board Letter requests authority for the District Attorney's Office to apply for and accept grant funds to continue the STAT program in 2009-10 and requests the Chair to sign the required Certification of Assurance of Compliance Form.

**IT IS RECOMMENDED THAT YOUR BOARD:**

1. Authorize the District Attorney, on behalf of the County of Los Angeles, to submit a proposal to CalEMA for grant funds in the amount of \$266,667 for the period of July 1, 2009 to June 30, 2010. The grant award amount is \$200,000 with a required 25 percent match of \$66,667.
2. Request the Chair of the Board to sign and affix a wet signature to the enclosed Certification of Assurance of Compliance form required to complete the CalEMA proposal.
3. Delegate authority to the District Attorney or his designee upon award of grant funding by CalEMA to accept and execute the Grant Award Agreement (GAA).

This also includes authorization to serve as the Project Director for the program, and to approve any subsequent amendments, modifications, and/or extensions to the CalEMA grant documents that do not increase the net County cost of the program.

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

On March 2, 2009, the District Attorney's Office received a Request for Proposal (RFP) notice from CalEMA for competitive funding made available through the federal Violence Against Women Act (VAWA) Services\*Training\*Officers\*Prosecutors (S\*T\*O\*P) Formula Grant. The RFP process requires applicants to submit a proposal identifying the creation or enhancement of a specialized unit which focuses on the vertical prosecution of the defendant and support services for the victim(s) of violent crimes against women. The proposal must also contain a Certification of Assurance of Compliance form which includes details regarding the Equal Employment Opportunity Program (EEOP), Drug Free Workplace Compliance, California Environmental Quality Act, Lobbying, Debarment and Suspension requirements, Proof of Authority from the City Council/Governing Board, and the statutory requirements of the VAWA S\*T\*O\*P Formula Grant Program.

Board authorization to apply for and accept grant funds is requested in order to comply with County and CalEMA requirements.

### **Implementation of Strategic Plan Goals**

This program is part of the District Attorney's commitment to assist underserved victims of crime by alleviating trauma and the devastating effects of crime on the lives of victims and their families. Acceptance of the CalEMA funds supports the County's Strategic Plan Goal No. 1, Operational Effectiveness, to maximize the effectiveness of the County's processes, structure and operations to support timely delivery of customer-oriented and efficient public services and Goal No. 5, Public Safety, to ensure that the committed efforts of the public safety partners continue to maintain and improve to the highest level of safety and security standards for the people of Los Angeles County.

### **FISCAL IMPACT/FINANCING**

The estimated project cost for the STAT Program is \$454,784. After the offset of \$200,000 in grant funds, the District Attorney will absorb a total of \$254,784 which includes the 25 percent required match of \$66,667.

This program will provide salary and employee benefits for one Deputy District Attorney IV at 100%, partial funding for one Victim Services Representative II (VSR II) at 50%, and one Senior Investigator at 7%. The staff, with the exception of the VSR II, is presently funded under the current STAT grant program due to expire on June 30, 2009.

**FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The VAWA-STAT program is designed to improve the criminal justice system's response to violent crimes against women through a coordinated multidisciplinary response. The focus of this program will be vertical prosecution of the defendant and support services for the victim(s).

This year, approximately \$3,200,000 is available for VAWA through a competitive proposal process. The VAWA S\*T\*O\*P program encourages the enhancement and strengthening of effective law enforcement and prosecution strategies to address violent crimes against women such as sexual assault, domestic violence, dating violence and stalking. Applicants selected will be awarded funds on a three-year funding cycle. Year one begins July 1, 2009, and ends June 30, 2010. Second and third year funding will require a non-competitive request for application (RFA) process subject to available funds, successful project performance, and compliance with the terms of the grant award agreement.

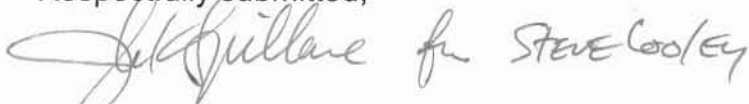
**IMPACT ON CURRENT SERVICES (OR PROJECTS)**

This program does not propose attorney staff augmentation. Therefore, the District Attorney's Office is not subject to the Board Motion of December 15, 1998, requiring clearance with the Alternate Public Defender, Probation, Public Defender, and Sheriff's Departments.

**CONCLUSION**

Following Board approval, the Executive Officer-Clerk of the Board is requested to return two copies of the adopted Board letter and one CalEMA Certification of Assurance of Compliance Form, with a wet signature, to Ms. Maria Baldwin, Grants Section, District Attorney's Office, 201 N. Figueroa Street, Suite 1300, Los Angeles, California 90012. Any questions may be directed to Ms. Baldwin at (213) 202-7684.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Steve Cooley", is written over the typed name.

STEVE COOLEY  
District Attorney

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Enclosures

c: Chief Executive Officer  
County Counsel

Department: District Attorney

The District Attorney's STAT handles felony and misdemeanor stalking cases throughout the County. STAT prosecutors coordinate their efforts with local law enforcement agencies, victim services providers and the courts. STAT participates in cross-training with specialized law enforcement stalking investigation units and provides in-house training. STAT uses all available tools to protect stalking victims including seeking upward bail deviations, criminal protective orders and maximum penalties upon conviction.

Grant Acceptance Deadline	N/A
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Part Time 2

None.

Department Head Signature

Date \_\_\_\_\_

3-9-09

**CERTIFICATION OF ASSURANCE OF COMPLIANCE**  
**With Statutory Requirements of the Violence Against Women Act (VAWA) As Amended,**  
**Services\*Training\*Officers\*Prosecutors (STOP) Formula Grant Program**

I, STEVE COOLEY hereby certify that  
(official authorized to sign grant award; same person as Section 12 on Grant Award Face Sheet)

RECIPIENT: LOS ANGELES COUNTY  
IMPLEMENTING AGENCY: DISTRICT ATTORNEY'S OFFICE  
PROJECT TITLE: STALKING AND THREAT ASSESSMENT TEAM (STAT)

is responsible for reviewing the *Grant Recipient Handbook* and adhering to all of the Grant Award Agreement requirements (state and/or federal) as directed by CalEMA including, but not limited to, the following areas:

**I. Equal Employment Opportunity – (Recipient Handbook Section 2151)**

It is the public policy of the State of California to promote equal employment opportunity by prohibiting discrimination or harassment in employment because of race, religious creed, color, national origin, ancestry, disability (mental and physical) including HIV and AIDS, medical condition (cancer and genetic characteristics), marital status, sex, sexual orientation, denial of family medical care leave, denial of pregnancy disability leave, or age (over 40). **CalEMA-funded projects certify that they will comply with all state and federal requirements regarding equal employment opportunity, nondiscrimination and civil rights.**

Please provide the following information:

Equal Employment Opportunity Officer: JULIE DIXON SILVA  
Title: CHIEF, EMPLOYEE RELATIONS DIVISION  
Address: 201 NO. FIGUEROA STREET, SUITE 1455, LOS ANGELES, CA 90012  
Phone: (213) 202-7705  
Email: [idsilva@da.lacounty.gov](mailto:idsilva@da.lacounty.gov)

**II. Drug-Free Workplace Act of 1990 – (Recipient Handbook, Section 2152)**

The State of California requires that every person or organization awarded a grant or contract shall certify it will provide a drug-free workplace.

**III. California Environmental Quality Act (CEQA) – (Recipient Handbook, Section 2153)**

The California Environmental Quality Act (CEQA) (*Public Resources Code, Section 21000 et seq.*) requires all CalEMA funded projects to certify compliance with CEQA. Projects receiving funding must coordinate with their city or county planning agency to ensure that the project is compliance with CEQA requirements.



#### **IV. Lobbying – (*Recipient Handbook Section 2154*)**

CalEMA grant funds, grant property, or grant funded positions shall not be used for any lobbying activities, including, but not limited to, being paid by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal grant or cooperative agreement.

#### **V. Debarment and Suspension – (*Recipient Handbook Section 2155*)**

*(This applies to federally funded grants only.)*

CalEMA-funded projects must certify that it and its principals are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of federal benefits by a state or federal court, or voluntarily excluded from covered transactions by any federal department of agency.

#### **VI. Proof of Authority from City Council/Governing Board**

The above-named organization (applicant) accepts responsibility for and will comply with the requirement to obtain written authorization from the city council/governing board in support of this program. The applicant agrees to provide all matching funds required for said project (including any amendment thereof) under the Program and the funding terms and conditions of CalEMA, and that any cash match will be appropriated as required. It is agreed that any liability arising out of the performance of this Grant Award Agreement, including civil court actions for damages, shall be the responsibility of the grant recipient and the authorizing agency. The State of California and CalEMA disclaim responsibility of any such liability. Furthermore, it is also agreed that grant funds received from CalEMA shall not be used to supplant expenditures controlled by the city council/governing board.

The applicant is required to obtain written authorization from the city council/governing board that the official executing this agreement is, in fact, authorized to do so. The applicant is also required to maintain said written authorization on file and readily available upon demand.

#### **V. Filing Costs for Criminal Charges and Protection**

Its laws, policies, and practices do not require, in connection with the prosecution of any misdemeanor or felony domestic violence offense, or in connection with the filing, issuance, registration, or service of a protection order, or a petition for a protection order, to protect a victim of domestic violence, stalking, or sexual assault, that the victim bear the costs associated with the filing of criminal charges against the offender, or the costs associated with the filing, issuance, registration, or service of a warrant, protection order, petition for a protection order, or witness subpoena, whether issued inside or outside the state, tribal, or local jurisdiction.

#### **VI. Forensic Medical Examination Payment Requirement for Victims of Sexual Assault**

The state or territory, Indian tribal government, unit of local government, or another governmental entity incurs the full out-of-pocket cost of forensic medical exams for victims of sexual assault.

The state or territory, Indian tribal government, unit of local government, or another governmental entity does not require a victim of sexual assault to participate in the criminal justice system or cooperate with

law enforcement in order to be provided with a forensic medical exam, or to be reimbursed for charges incurred on account of such an exam.

#### ***VII. Judicial Notification***

The state's judicial administrative policies and practices include notification to domestic violence offenders of the requirements delineated in section 922(g)(8) and (g)(9) of title 18, United States Code, and any applicable related Federal, State, or local laws.

#### ***VIII. Polygraph Testing Prohibition***

The state or local unit of government's laws, policies, or practices ensure that no law enforcement officer, prosecuting officer or other government official shall ask or require an adult, youth, or child victim of an alleged sex offense as defined under Federal, tribal, state, territorial, or local law to submit to a polygraph examination or other truth telling device as a condition for proceeding with the investigation of such an offense.

- Under 42 U.S.C. 3796gg-8(b), the refusal of a victim to submit to a polygraph or other truth telling examination shall not prevent the investigation, charging, or prosecution of an alleged sex offense by a state, Indian tribal government, territorial government, or unit of local government.

#### ***IX. Nondisclosure of confidential or private information regarding services for victims***

Recipients and subrecipients may not disclose personally identifying information about victims served with Violence Against Women funds without a written release, unless the disclosure of the information is required by a statute or court order. "Personally identifying information" means individually identifying information for or about an individual including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking. Releases must be written, informed and reasonably time-limited and signed by the victim unless the victim is an un-emancipated minor or a person with disabilities.

#### ***X. Consultation and Documentation with local victim services programs***

*(Applies only to law enforcement, prosecution and the courts)*

Tribal, territorial, State, or local prosecution, law enforcement, and courts must consult with tribal, territorial, State or local victim service programs during the course of developing their grant applications. This will ensure that proposed activities and equipment acquisitions are designed to promote the safety, confidentiality, and economic independence of victims of domestic violence, sexual assault, stalking and dating violence.

All appropriate documentation must be maintained on file by the project and available for CalEMA or public scrutiny upon request. Failure to comply with these requirements may result in suspension of payments under the grant or termination of the grant or both and the Recipient may be ineligible for award of any future grants if the CalEMA determines that any of the following has occurred: (1) the Recipient has made false certification, or (2) violates the certification by failing to carry out the requirements as noted above.

### CERTIFICATION

I, the official named below, am the same individual authorized to sign the Grant Award Agreement [Section 12 on Grant Award Face Sheet], and hereby swear that I am duly authorized legally to bind the contractor or grant recipient to the above described certification. I am fully aware that this certification, executed on the date and in the county below, is made under penalty of perjury under the laws of the State of California.

Authorized Official's Signature: \_\_\_\_\_

  
STEVE COOLEY

Authorized Official's Typed Name: \_\_\_\_\_

Authorized Official's Title: DISTRICT ATTORNEY

Date Executed: \_\_\_\_\_

3/16/09

Federal Employer ID Number: \_\_\_\_\_

95-6000927

Executed in the City/County of: \_\_\_\_\_

LOS ANGELES

### AUTHORIZED BY: *(not applicable to State agencies)*

- ☐ City Financial Officer  
☐ City Manager  
☒ Governing Board Chair

- ☐ County Financial Officer  
☐ County Manager

Signature: \_\_\_\_\_

Typed Name: DON KNABE

Title: CHAIRMAN, BOARD OF SUPERVISORS

### APPROVED AS TO FORM:

BY: 